

ITEM NO.43

COURT NO.12

**REVISED FOR APPEARANCE
SECTION IX****S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 21302/2022
(Arising out of impugned final judgment and order dated 20-10-2022
in IA No. 18608/2022 in WP No. 11650/2022 passed by the High Court
Of Judicature At Bombay)

RAJENDRA NIVRUTTI ZURANGE & ANR.**Petitioner(s)****VERSUS****STATE OF MAHARASHTRA & ORS.****Respondent(s)**

(IA No. 179853/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 179854/2022 - EXEMPTION FROM FILING O.T.

IA No. 179855/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH**SLP(C) No. 21329/2022 (IX)**

(FOR FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
180203/2022

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
180206/2022

IA No. 180203/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 180206/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 14-02-2023 These matters were called on for hearing today.

CORAM :**HON'BLE MR. JUSTICE A.S. BOPANNA****HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH**

For Petitioner(s) Mr. Nikhil Goel, Adv.
Mr. Gaurav Potnis, Adv.
Ms. Naveen Goel, Adv.
Mr. Aniruddha Deshmukh, AOR

For Respondent(s) Mr. Samrat Shinde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Ms. Kirti Dadheech, Adv.

Mr. Makarand D. Adkar, Adv.
Ms. Bharti Tyagi, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard the learned counsel for the petitioners as also the learned counsel for the respondents and perused the petition papers. At the outset we note that the petitioners are before this Court since the High Court in the pending Writ Petition No. 11650/2022 with the connected petitions had not granted an absolute interim order but had recorded certain submissions with regard to the manner in which the possession of the property would be taken. The writ petition is pending consideration before the High Court. In addition to the grievance put forth in the petition by the learned counsel for the petitioners, regarding the power to acquire under the Maharashtra Regional Town Planning Act and that it should in fact be acquired under the Maharashtra Municipal Act that aspect of the matter is still available to be contended before the High Court. Further, learned counsel also pointed out that in the matter of determination of the compensation an uniform procedure in respect of comparable lands has not been adopted. Even on this aspect of the matter, if any contention is put forth it will be open for the High Court to examine in accordance with law.

Hence, without expressing any opinion on merits, we leave open all contentions including the contentions noted above, to be considered and decided by the High Court. Since the proceedings relate to acquisition of land and the payment of appropriate

compensation, we request the High Court to consider the petitions as expeditiously as possible.

The special leave petitions are, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR

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